

USDOL/OALJ Reporter

[*O'Sullivan v. Northeast Nuclear Energy Co.*](#), 88-ERA-37 (Sec'y July 10, 1992)

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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: July 10, 1992
CASE NOS. 88-ERA-37 & 38

IN THE MATTER OF

TIMOTHY O'SULLIVAN AND
DONALD W. DEL CORE, SR.,
COMPLAINANTS,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

CASE NO. 89-ERA-34

DONALD W. DEL CORE, SR.,
COMPLAINANT,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
A DIVISION OF NORTHEAST UTILITIES,
RESPONDENT.

CASE NO. 90-ERA-5

DONALD W. DEL CORE,
COMPLAINANT,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

CASE NOS. 90-ERA-33 & 34

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DONALD W. DEL CORE, SR.,
COMPLAINANT,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

CASE NO. 91-ERA-51

DONALD W. DEL CORE, SR.,
COMPLAINANT,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

CASE NO. 92-ERA-3

DONALD W. DEL CORE, SR.,
COMPLAINANT,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

CASE NOS. 92-ERA-12, 17, 18

TIMOTHY O'SULLIVAN AND
DONALD W. DEL CORE, SR.,
COMPLAINANTS,

V.

NORTHEAST NUCLEAR ENERGY COMPANY,
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

FINAL ORDER APPROVING SETTLEMENTS
AND DISMISSING COMPLAINTS

Before me for review are the several Recommended Decision(s) and Order(s) (R.D. and O.) of the Administrative Law Judges (ALJs) in these consolidated cases arising under the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1988). The parties' "Joint Stipulation for Dismissal of Complaints with Prejudice and Approval of Settlement Agreement" (joint Stipulations), dated March 13, 1992, is before me, along with the fully executed Settlement Agreement and General Release for each Complainant.

In response to my June 17, 1992, Order of Consolidation and order to Submit Attachments, Respondent's counsel submitted as requested, the March 3, 1992, letter referred to in Paragraph 4.2 of each settlement agreement. Neither party has objected to my consideration of Case No. 91-ERA-51 pursuant to the Del Core Settlement Agreement, Para. #1.1, and Joint Stipulation, *see* caption.

The parties' settlement agreements and attachments and the general releases have been carefully reviewed. These settlement agreements appear to encompass matters arising under various laws, only one of which is the ERA. I have, therefore, limited my review to determining whether the terms of these agreements are a fair, adequate and reasonable settlement of Complainants' allegations that Respondent violated the ERA.¹ *See Poulos v. Ambassador Fuel Co., Inc.*, Case No. 86-CAA-1, Sec. Order, Nov. 2, 1987, slip op. at 2, and cases cited therein.

I find that the terms of each agreement are fair, adequate and reasonable to settle the respective Complainant's allegations that Respondent violated the ERA.

Accordingly, the complaints in these consolidated cases are DISMISSED with prejudice. Stipulations at 3.

SO ORDERED.

LYNN MARTIN
Secretary of Labor

Washington, D.C.

[ENDNOTES]

¹With respect to Paragraph 1.4 on Recision, Respondent has provided notice that all other necessary approvals of the settlements have been received. Accordingly, any issue concerning the possibility of recision under this provision appears moot.